



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: MARCH 7, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: GPA-16294 - APPLICANT/OWNER: JOHN HERNANDEZ**

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**\*\* CONDITIONS \*\***

The Planning Commission (7-0 vote) and staff recommend DENIAL.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request to amend a portion of the Southeast Sector Plan of the Master Plan from L (Low Density Residential) to O (Office) on 0.17 acres at 410 Spencer Street.

This proposed project calls for the conversion of a residence to an office. Companion requests for a Rezoning (ZON-16296), Variance (VAR-16298) and a Site Development Plan Review (SDR-16292) will be heard concurrently with this item.

The proposed General Plan Amendment is deemed incompatible with the area. The proposed development does not conform to the intent of this neighborhood. Therefore, it is not deemed necessary to amend the General Plan to accommodate this development and denial of this request is recommended.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
02/08/07	The Planning Commission recommended denial of companion item ZON-16296 and SDR-16292 concurrently with this application.  The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #21/jm).
<b><i>Related Building Permits/Business Licenses</i></b>	
There are no building permits or business licenses that pertain to this site.	
<b><i>Pre-Application Meeting</i></b>	
Month/date/year	Description
08/02/06	A pre-application meeting was held with the applicant. The applicant was informed that their request to convert their house into an office would require a Site Development Plan Review, a Rezoning, a Variance, and General Plan Amendment. The applicant was also informed that if they were to utilize the parking lot to the south, they would need a shared parking agreement.
<b><i>Neighborhood Meeting</i></b>	
Month/date/year	Description
09/14/06	The Neighborhood Meeting was held at 6:00 pm at the East Las Vegas Community Center. One resident attended the meeting. The resident was concerned with the site only providing one parking space. The applicant is working with the adjacent owner to allow access to the rear property.

<b>Details of Application Request</b>	
<b>Site Area</b>	
Net Acres	0.17

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
North	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
South	Parking Lot	L (Low Density Residential)	R-4 (High Density Residential)
East	Existing Church	L (Low Density Residential)	R-1 (Single Family Residential)
West	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)

<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Area Plan</b>		X	Y
<b>Special Purpose and Overlay Districts</b>		X	Y
<b>Trails</b>		X	Y
<b>Rural Preservation Overlay District</b>		X	Y
<b>Development Impact Notification Assessment</b>		X	Y
<b>Project of Regional Significance</b>		X	Y

## ANALYSIS

This proposed project calls for the conversion of a residence to an office. The project is located on Spencer Street, approximately 220 feet north of Charleston Boulevard, surrounded by single-family residential to the north and west, a church to the east and a parking lot to the south.

The subject property is designated as L (Low Density Residential) under the Southeast Sector Plan of the General Plan. The L (Low Density Residential) category permits a density range of single-family detached homes, including compact lots and zero lot lines; mobile home parks and two-family dwellings. The conversion to an office use that the applicant is requesting does not agree with the Planned Land Use and; therefore, needs a General Plan Amendment (GPA-16294) to O (Office) and Rezoning (ZON-14340) to P-R (Professional Office and Parking) to be consistent.

The O (Office) category provides for small lot office conversions as a transition, along Primary and Secondary streets, from residential to commercial uses, and for large planned office areas. Permitted uses include business, professional, and financial offices as well as offices for individuals, civic, social, fraternal, and other non-profit organizations.

## **FINDINGS**

Section 19.18.030.I of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,
2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,
3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and
4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

In regard to “1”:

The proposed General Plan Amendment is not compatible with surrounding land use designations. There are no Office land-use designations in the vicinity. This is primarily a residential neighborhood with a parking lot to the south of the property. Commercial land uses exist a block away, south along Charleston Boulevard. The proposed office is not compatible with the neighborhood.

In regard to “2”:

The applicant has requested a Rezoning (ZON-15233) from R-1 (Single Family Residential) District to a P-R (Professional Office and Parking) District. There is no P-R (Professional Offices and Parking) in the vicinity and this Rezoning request is inappropriate based on the context. The proposed use, as an office complex, is not compatible with the surrounding area, which is primarily residential.

In regard to “3”:

The proposed office would be serviced by Spencer Street, a local street. This should provide adequate access for the development.

In regard to “4”:

The proposed development is not affected by any other plans or policies.

**PLANNING COMMISSION ACTION**

There were two speakers in opposition at the Planning Commission Meeting.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 15

**ASSEMBLY DISTRICT** 9

**SENATE DISTRICT** 10

**NOTICES MAILED** 272 by Planning Department

**APPROVALS** 0

**PROTESTS** 0